

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43*bis*.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/GB2005/001433	International filing date (day/month/year) 15.04.2005	Priority date (day/month/year) 15.04.2004
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International Patent Classification (IPC) or both national classification and IPC
B60N2/50, B60N2/52, B60N2/54

Applicant
KAB SEATING LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

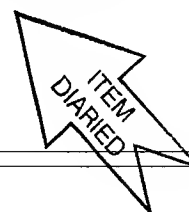
If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.



If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

15.02.06



<p>Name and mailing address of the ISA:</p> <div style="text-align: center;">  </div> <p>European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840</p>	<p>Authorized Officer</p> <p>Cuny, J-M</p> <p>Telephone No. +49 30 25901-540</p> <div style="text-align: right;">  </div>
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001433

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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International application No.
PCT/GB2005/001433

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-19
Inventive step (IS)	Yes: Claims	
	No: Claims	1-19
Industrial applicability (IA)	Yes: Claims	1-19
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V.

- 1 Reference is made to the following documents:
D1 : FR 2 438 203 A (SOCIETE NATIONALE DES POUDRES ET EXPLOSIFS ET AL.) 30 April 1980 (1980-04-30)
D2 : US 4 702 454 A (SATOSHI IZUMIDA) 27 October 1987 (1987-10-27)
- 2 PRELIMINARY REMARK
In the following D1 is cited to the first embodiment (claims 1-5,10-16) and D2 for the second embodiment (claims 1-3,6-9,17,18)
- 3 INDEPENDENT CLAIM 1
 - 3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D1 discloses see p.4, l.14-p.5, l14; fig.1,2 (the references in parentheses applying to this document):
A suspension system for a vehicle seat comprising:
a top portion (10);
a first part having a base portion (1), means (4,11) to receive the top portion and means to allow movement of the base portion and top portion towards and away from each other;
a second part comprising a spring (26) element adapted in use to control movement of the base portion and top portion towards and away from each other; and wherein the top portion (10) and the second part are releasably connected (27) to the first part.
 - 3.2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D2 discloses see col.3,l.4-33; fig.2,3 (the references in parentheses applying to this document):
A suspension system (11) for a vehicle seat comprising:
a top portion (21);
a first part having a base portion (12), means (13) to receive the top portion and

means to allow movement of the base portion and top portion towards and away from each other;

a second part comprising a spring element (51) adapted in use to control movement of the base portion (12) and top portion (21) towards and away from each other; and wherein the top portion (21) and the second part are releasably connected (28,29,49) to the first part.

4 DEPENDENT CLAIMS 2-5,10-16

Dependent claims 2-5,10-16 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) and (3) PCT).

All the claimed features are known from D1.

5 DEPENDENT CLAIMS 2,3,6-9,17,18

Dependent claims 6-9,17,18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) and (3) PCT).

All the claimed features are known from D2.

Re Item VII.

- 1 The independent claim should be drafted in the two-part form in accordance with Rule 6.3(b) PCT.
- 2 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Re Item VIII.

INDEPENDENT CLAIM 19

Claim 19 do not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The following functional statements do not enable the skilled person to determine which technical features are necessary to per-

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International application No.

PCT/GB2005/001433

form the stated function: suspension for a vehicle seat.